

PATENT APPLICATION  
ATTORNEY DOCKET  
NO. 72804

# 7  
Response  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chason et al.  
Application No.: 10/044,777  
Title: Semiconductor Package Device  
and Method  
Filed: January 11, 2002  
Group  
Art Unit: 2813  
Examiner: Donlan, J.

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited  
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1/28/03  
Date

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Attorney for Applicant(s)

RESPONSE

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to an Office Action dated October 28, 2002 as entered in the above  
captioned matter, the applicant respectfully submits the following response.

1. Claims 1-4, 14, 15, and 21-28 were rejected under 35 U.S.C. §102(e) given  
U.S. Patent Application Publication No. 2002/0119600 ("Pierce"). Claims 5-13, 17, and 18  
were rejected under 35 U.S.C. §103(a) given Pierce in view of U.S. Patent No. 6,335,571  
("Capote"). Claim 16 was rejected under 35 U.S.C. Section 103(a) given Pierce in view of  
U.S. Patent No. 6,323,062 ("Gilleo"). Claims 19 and 20 were rejected under 35 U.S.C. §  
103(a) given Pierce in view of Capote and U.S. Patent No. 5,251,266 ("Spigarelli"). These  
rejections are respectfully traversed and the applicant hereby respectfully requests  
reconsideration.

2. The Pierce reference comprises the foundation of the Examiner's rejection.  
Pierce has been applied under 35 U.S.C. §102(e), which reads in pertinent part as follows:

A person shall be entitled to a patent unless ...(e) the invention  
was described in (1) an application for patent ...by another filed  
in the United States for the invention by the applicant for  
patent....

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The Pierce reference, however, does not meet these criteria in that the Pierce filing date does not precede invention by the applicant.

In particular, the attached Affidavit under 37 CFR §1.131 of Marc Chason makes clear that, at least as early as January 14-18, 2001 (which is more than one month prior to the February 23, 2001 filing date of Pierce) the applicants were in possession of the invention. Accordingly, Pierce is not available as relevant prior art.

There are also other differences that the applicant might point out with respect to both Pierce and the other prior art references of record. For the sake of brevity and to expedite this review process, however, the applicant will refrain at present from any further comments or elaboration regarding the prior art. With Pierce unavailable, the applicants' respectfully submit that claims 1-28 are in suitable condition to support allowance.

Respectfully submitted,



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Date: January 28, 2003  
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